

REMARKS

Claims 1-15 are pending with claims 4-6 withdrawn.

Claim Amendments

Applicants have amended claims 8 and 15 to correct their dependency. Applicants respectfully submit these amendments should be entered because they do not require any further search or consideration.

Applicants acknowledge the time and courtesy of Examiners Lopez and Hoffmann during the personal interview of January 13, 2003, with applicants' personal representative James E. Ruland. Below includes a summary of the applicable items of that interview. No exhibit was shown or demonstration conducted, claims 1 and 13 were discussed, and the specific prior art discussed was U.S. Patent No. 5,326,729 and JP 04-074728.

Arguments

Claims 1-3, 7-9, and 14-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,326,729 (Yaba) in view of JP 04-074728 (Ito). Applicants respectfully traverse these rejections.

Particularly, applicants submit that there is insufficient motivation to combine the teachings of Yaba and Ito. Particularly, there is no motivation to combine a process for obtaining a quartz glass used as a photomask (relevant to Yaba) with a reference for coating a substrate with glass soot (relevant to Ito). See Interview Summary of January 13, 2003. Consequently, applicants respectfully submit that there is insufficient motivation to combine these references. Also attached hereto is a verified English translation of the Ito reference for the Examiner's consideration.

Moreover, the examiner alleged that the Ito reference disclosed a complementary angle of 180°–95°, meeting applicants' claim limitation. However, applicants respectfully submit that the alleged combination fails to teach or suggest a silica matrix and a flame of reactive gas from a burner orientated to define an angle of 90°–110° with respect to their center axes. Consequently, applicants respectfully submit that this establishes another ground of nonobviousness.

Claims 10-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yaba in view of Ito and alleged admissions in the specification. As discussed above, there is no motivation to combine Yaba with Ito to render the claimed invention unpatentable. With respect to claim 13, applicants respectfully submit that even if the alleged references were combinable, Yaba teaches that the concentration of hydrogen is preferably not less than 30% by volume, and a lesser value is not desirable. Consequently, there is insufficient motivation for one of skill in the art to provide a hydrogen gas-containing atmosphere comprising 1–3% by volume hydrogen (relevant to claim 13).

Consequently, the present invention is patentable over the cited references.

Withdrawn Subject Matter

Applicants note that claims 4-6 stand withdrawn. Applicants respectfully submit that the withdrawn claims should be rejoined at least due to their dependency to the allowable subject matter. Particularly, no further search or consideration should be required.

In view of the above, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the examiner is courteously invited to telephone counsel at the number indicated below.

Appl. No.: 09/930,693

February 9, 2004

Reply to Final Office Action of 10/09/2003

Page 7



The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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